

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSEPH SICILIA,

Plaintiff,

V.

THE BOEING COMPANY, et al.,

Defendants.

Case No. C09-0710MJP

**ORDER DENYING WITHOUT
PREJUDICE MOTION TO
CONTINUE THE TRIAL DATE AND
EXTEND THE CASE SCHEDULE**

This matter comes before the Court on the parties' stipulated motion to continue the trial date and deadlines in the case schedule. (Dkt. No. 41) The Court, having reviewed the parties stipulated order, makes the following findings:

1. The motion contains insufficient facts to establish good cause for a continuance of the trial date. Generalized statements about the complexity of the case do not offer a factual basis to support a finding of good cause. (See Dkt. No. 41 at 2.) For instance, the parties state that “with additional time, certain matters may be resolved” The parties do not explain what “matters” fall within this assertion or why additional time is needed to address them.

2. The motion does not sufficiently describe the scheduling conflicts that have resulted in delay. The parties state that Plaintiffs' counsel is "involved" in a trial, but do not explain when the trial is scheduled to take place or how counsel's participation in the trial has prevented either side from advancing their case. (Dkt. No. 41 at 4.)

3. The motion does not explain why an extension of nearly six months is appropriate.

The Court is mindful of new counsel's need to "get up to speed," but notes the tension between a request for a six month continuance and counsel's stated goal of moving the case forward in an efficient manner. A request for a continuance of a case schedule should explain how the additional time will be used to prosecute and defend the claims at issue.

Therefore, the Court DENIES the motion to revise the existing case schedule without prejudice to file a renewed motion that cures the defects noted above and outlines a plan for meeting the revised deadlines. The Court further suggests the parties abandon the unnecessarily formal “whereas” construction in their introduction. (Dkt. No. 41 at 1.) The Clerk shall transmit a copy of this Order to all counsel of record.

Dated this 22nd day of March, 2010.

Marsha J. Pechman
Marsha J. Pechman
United States District Judge